

REMARKS

The Examiner's consideration of the following remarks is greatly appreciated. Claims 1-29 and 32-57 are pending in the application. In the Office Action mailed July 28, 2005 the Office Action rejected Claims 1-29 and 32-57 under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2002/0069156 (Adam et al.).

Rejections Under 35 U.S.C. § 102(e)

The filing date of the published application of Adam et al. is August 31, 2001. Although the Adam et al. published applications claims the priority of a provisional application filed on September 1, 2000, the Office Action has not established that the provisional application teaches any of the claims of the present application.

The present application was filed on October 31, 2001 claiming priority to a provisional patent application, U.S. Application No. 60/244,821, filed on October 31, 2000. Applicants respectfully submit that cited teaching of the Adam et al. reference do not qualify as prior art under 35 U.S.C. § 102(e) as those teachings were filed after the priority date of the present application. Applicants further submit that the document utilized as part of the provisional patent was conceived and/or reduced to practice prior to September 1, 2000. Moreover, applicants respectfully submit that they proceeded with diligence in proceeding with the filing of the provisional patent application on October 31, 2000.

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The foregoing is submitted as a full and complete response to the final. Office Action mailed July 28, 2005. If the Examiner believes that there are any issues that can be resolved by telephone conference, or that there are any informalities that can be corrected by the Examiner's amendment, please call the undersigned at 206.695.1728.

Respectfully submitted,

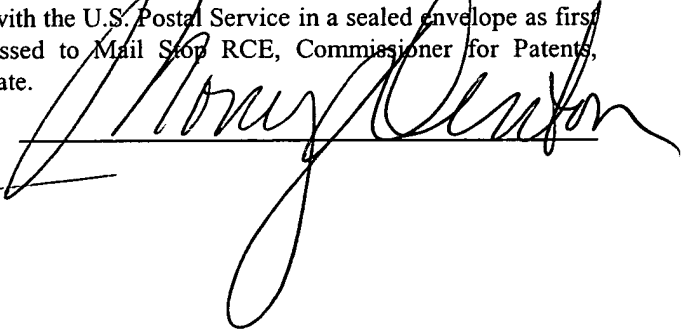
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I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the below date.

Date:

January 30, 2006 

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